THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.23051 of 2005

Date:26.10.2005

Nalluri Avinash, Rep., by his guardian Nalluri Narsimham.

--------PETITIONER

The Director of School Education, A.P., Hyderabad and others.

---------RESPONDENTS

ORDER:

The petitioner is studying Intermediate Course. Earlier to that, he has undergone his school education in a private school and passed S.S.C. in March 2004. According to him, his correct date of birth, as entered in the register of births as well as the passport, is 25.08.1988, but due to inadvertence, it was entered as 15.08.1989 in the school records as well as the S.S.C.Certificate.

The petitioner states that on coming to know about the discrepancy, he made a representation on 06.07.2004 in accordance with the procedure stipulated under G.O.Ms.No.1348, Education Department, dated 15.12.1981, to the School authorities, enclosing the originals of birth certificate, passport and S.S.C.Certificate, and that the principal of the School, in turn, forwarded it to the District Educational Officer, Prakasam District, 3rd respondent herein. It is also pointed out that the 3rd respondent returned the original certificates in the month of July 2005 stating that he has already forwarded the application together with his endorsement to the District Collector, 2nd respondent herein. The petitioner further stated that when he approached the 2nd respondent for further steps, he was informed that no communication was received from the 3rd respondent. He seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for School Education.

The date of birth of the petitioner was entered as 15.08.1989 in the S.S.C.Certificate. However, the date of birth, as per the birth certificate issued by the competent authority as well as the passport, is 25.08.1988. The Government framed Rules for alteration of dates of birth in S.S.C. Certificates. G.O.Ms.No.1348, dated 15.12.1981, holds the field at present.

On noticing that his date of birth was wrongly entered in the S.S.C.Certificate, the petitioner made an application, as provided for in the G.O., to the Head Master of the School. The application was, in turn, forwarded to the 3rd respondent. The 3rd respondent is required to forward the same to the 2nd respondent, who, in turn, shall forward it to the Director of School Education, 1st respondent herein, after due verification.

Almost one year has lapsed ever since the 3rd respondent received the application of the petitioner from the Head Master. The petitioner asserts that the Office of the 2nd respondent has clarified that it has not received any communication from the 3rd respondent. If the present pace is maintained in the matter of processing the application of the petitioner, it is difficult to expect any result for several years to come. The matter cannot be kept pending in such a manner.

Hence, the writ petition is disposed of, directing that-

a. The 3rd respondent shall take steps to forward the application of the petitioner to the 2nd respondent forthwith. If it has already been forwarded, he shall furnish a copy of the proceedings or the reference number to the petitioner, within a period of one week from the date of receipt of a copy of this order.

b. The 2nd respondent shall process the application further and forward it to the 1st respondent, within a period of four weeks from the date of receipt of communication from the 3rd respondent.

c. The 1st respondent, in turn, shall pass appropriate orders thereon, within a period of four weeks from the date of receipt of communication from the 2nd respondent.

d. There shall be no order as to costs.

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26.10.2005

Note: Issue C.C. in three days.

(B/o)

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